



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,741	05/01/2001	Jai Rawat	OBON0004	4472
22862	7590	01/10/2008		
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			EXAMINER SHINGLES, KRISTIE D	
			ART UNIT	PAPER NUMBER
			2141	
			MAIL DATE	DELIVERY MODE
			01/10/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/846,741

Applicant(s)

RAWAT ET AL.

Examiner

Kristie D. Shingles

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendments

No claims have been amended.
Claims 11-35 are cancelled.

Claims 1-10 are pending.

Response to Arguments

I. Applicant's arguments filed 10/25/2007 have been fully considered but they are not persuasive.

Applicant argues that the cited prior art of record, *Sheldon et al*, fails to qualify as prior art because the provisional application (60/269,284) from which *Sheldon et al* depends fails "to properly support the subject matter used to make the rejection". Specifically, Applicant argues that the provision application does not includes the language recited in *Sheldon et al* of "extracting" commercial data for creating receipts and/or reports.

Examiner respectfully disagrees. Applicant's assertion stems from a cursory review of the provisional application and is more or less based on the absence of the term "extract" in the provisional application. However, the support of *Sheldon et al* in the provisional application can not be determined based on mere word-matching but rather on related and similar inventive concepts. The provisional application discloses on pages 25-28, multiple embodiments for sending an electronic message with commercial data by: creating a receipt, saving the receipt, formatting the receipt into an electronic message, and sending the electronic message with the receipt; as well as receiving a receipt, formatting the receipt into an electronic message, saving the receipt and send the electronic message with the receipt to the sender. From these recitations,

it is obvious that the step of saving the receipt after/before it is formatted into the electronic message adequately supports *Sheldon et al*'s teaching for extracting receipt data and for creating receipts from electronic mail (*col.24 lines 10-65, col.25 lines 16-38*). Applicant's arguments are therefore unpersuasive and the rejection under the cited prior art of record is maintained.

Claim Rejections - 35 USC § 102

II. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

III. **Claims 1 – 10** are rejected under 35 U.S.C. 102(e) as being anticipated by *Sheldon et al* (US 6,708,205).

a. Per claim 1, *Sheldon et al* teach a system for capturing electronic receipts from electronic mail messages comprising:

- a first computer server configured for receiving a plurality of electronic mail messages and for parsing said electronic mail messages to identify a subset thereof which comprise commercial correspondence having commercial data related to a commercial transaction (*col.19 lines 42-62, col.20 lines 21-26, col.21 line 66-col.22 line 50—parsing email messages to determine which comprise commercial correspondence*);
- wherein said plurality of electronic mail messages comprises electronic mail messages comprising commercial correspondence and electronic mail messages not comprising commercial correspondence (*col.4 lines 46-50, col.5 lines 8-48, col.7 lines 7-57*); and

- program code residing on said first computer server for creating receipt data by extracting said commercial data from said subset of electronic mail messages which comprise commercial correspondence (*col.24 lines 10-41, col.25 lines 16-25—extracting commercial data for creating receipts and/or reports*).

b. **Claim 6** contains limitations that are substantially equivalent to claim 1 and is therefore rejected under the same basis.

c. **Per claim 2**, *Sheldon et al* teach the system of Claim 1, wherein said first computer server permits display of receipt data (*col.24 lines 14-41*).

d. **Per claim 3**, *Sheldon et al* teach the system of Claim 1, further comprising a database at said first computer server, wherein said first computer server permits alteration of header data of said electronic mail messages in accordance with data records stored in said database (*col.24 lines 49-54, col.25 lines 16-38*).

e. **Claims 7 and 8** contain limitations that are substantially similar to claim 3 and are therefore rejected under the same basis.

f. **Per claim 4**, *Sheldon et al* teach the system of Claim 3, wherein said program code comprises: instructions for storing said receipt data in said database (*col.24 lines 28-32, col.25 lines 16-20*).

g. **Per claim 5**, *Sheldon et al* teach the system of Claim 4, wherein said first computer server permits extraction of said receipt data from said database (*col.24 lines 28-32 and 55-65*).

h. **Per claim 9**, *Sheldon et al* teach the method of Claim 6, wherein said step of extracting further comprises the steps of: querying a database of template data; and comparing

each of subset of said electronic mail messages with said template data obtained from said step of querying (*col.24 lines 42-65*).

i. **Per claim 10**, *Sheldon et al* teach the method of Claim 6, further comprising the steps of providing a database for storing receipt data; and storing identified commercial data as receipt data in said database (*col.24 lines 28-32, col.25 lines 16-20*).

Conclusion

IV. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Smith et al (6487540), Rodriguez et al (7158948), Talati et al (5903878), Icho (20010049628).

V. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Application/Control Number:
09/846,741
Art Unit: 2141

Page 6

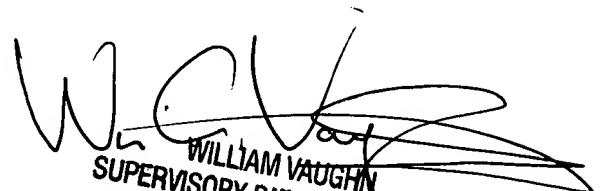
VI. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie D. Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie D Shingles
Examiner
Art Unit 2141

kds


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100